

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
In Re: DELPHI CORPORATION, :
et al., Debtors : Chapter 11

: Case No. 05-44481 (RDD)
: (Jointly Administered)

**OBJECTION TO NON-ASSUMPTION OF AN EXECUTORY
CONTRACT OF ALEACIONES DE METALES SINTERIZADOS, PRO SE
OF PURCHASE ORDER SAG 90I5385 UNDER THE
MODIFIED PLAN OF DEBTORS**

Aleaciones de Metales Sinterizados ("Objector"), Pro Se, files this Objection to Non-Assumption of its Purchase Order Under the Modified Plan and in support thereof avers as follows:

1. Objector is a key manufacturer of specialized automotive parts for Delphi.
2. On or about July 8, 2009, Objector received a Notice of Non-Assumption of its Purchase Order Number SAG90I5385 pursuant to the modified plan, (Exhibit "A.")
3. Delphi has been operating under a Purchase Order Number SAG90I5385, which was originally entered September 8, 2004, and modified (alteration number 83807) on May 30, 2008. Collectively, the Purchase Order and modified Purchase Order are attached as Exhibit "B."
4. Currently, Delphi has been paying Ames, which Objector is a part, under terms net 10. Purchases are made on a weekly basis.
5. Because the Purchase Order was modified postpetition and to date has been treated by Delphi as continuing in effect, it is Objector's belief that Delphi does not intend to reject the Purchase Order, and files its objection to preserve its position with respect to the Purchase Order, which was entered into postpetition with Delphi; The Purchase Order was not terminated or expired as indicated on the notice to Objector.
6. Delphi has given Objector no notice other than the attached notice it received in the mail that a Purchase Order would be terminated and Objector believes there is some confusion as to the true nature of Delphi's intention. It is believed that Delphi wishes to assume and assign to GM the Purchase Order as aforesaid to keep Delphi supplied.

WHEREFORE, Objector objects to the Non-Assumption of its Purchase Order Number SAG90I5385 under the terms of the modified plan and for such other relief as this Court may deem just and appropriate.

Respectfully submitted,

ALEACIONES DE METALES SINTERIZADOS

By: 

Henry Trabal, General Manager

Date: 7/14/09

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CERTIFICATE OF SERVICE

I, Henry Trabal, General Manager, of ALEACIONES DE METALES

SINTERIZADOS, certify that on this date, I served a true and correct copy of the foregoing document upon the following parties by depositing the same in the United States mail, postage prepaid, addressed as follows:

Robert D. Drain, United States Bankruptcy Judge
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New York, NY 10004

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Date:

7/14/09

ALEACIONES DE METALES SINTERIZADOS

By:


Henry Trabal, General Manager